

Islamic Online Madrasah - IOM



Bachelor in Dawah and Islamic Studies

Research Topic:

**Muslim Minorities live in Non-Muslim
Majority Countries: Navigating Identity, Faith,
and Legal Boundaries, Challenges,
Protections, and Integration**

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Date: 30 November 2024

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This is an ancillary research paper of the Department of Dawah and Islamic studies.

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TESTIMONIAL

This is to certify that the research paper named **“Muslim Minorities live in Non-Muslim Majority Countries: Navigating Identity, Faith, and Legal Boundaries, Challenges, Protections, and Integration”** has been written with excellence under the supervision of myself by **Maksuda Sultana, ID: 227021714**, from the Department of Dawah and Islamic Studies, Islamic Online Madrasah.

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I declare that this research paper, "**Muslim Minorities live in Non-Muslim Majority Countries: Navigating Identity, Faith, and Legal Boundaries, Challenges, Protections, and Integration**" has been written by myself under Ustadh Mujibur Rahman, Department of Dawah and Islamic Studies, Islamic Online Madrasah. Any part of this paper is not meant to be used by any institution for any other degree or diploma. I also declare that. This research paper is my creation. According to my knowledge, research papers with this title have yet to be submitted.



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Abstract

This paper explores the rules and guidelines that Muslim minorities adhere to in non-Muslim-majority countries. It focuses on religious practices, social conduct, and the challenges posed by diverse legal systems and cultural expectations. Through examining legal, cultural, and social frameworks, this study aims to offer a balanced view of how Muslim minorities maintain their religious identities while complying with local laws. Additionally, it discusses how non-Muslim societies can promote inclusivity and respect toward Muslims while fostering a culturally diverse environment.

1. Introduction

Muslim minorities form essential cultural and social components in many non-Muslim-majority countries. Their unique religious practices, which encompass daily life from dietary restrictions to prayer obligations, often require accommodation and understanding within predominantly secular or non-Muslim contexts.

The dynamics of global migration and cultural interconnectivity have created vibrant, pluralistic societies around the world. Among these, Muslim minorities living in non-Muslim majority countries represent a unique and diverse group whose experiences provide valuable insights into the interplay of faith, identity, and societal integration. With an estimated 1.9 billion Muslims globally, a significant portion resides as minorities in countries where Islamic traditions are not part of the dominant culture or legal framework. This reality necessitates a deeper exploration of how these communities navigate their religious and cultural practices while adapting to their host nations' legal, social, and cultural expectations.

The phenomenon of Muslim minorities in non-Muslim majority countries is neither new nor uniform. From the early trade-driven migrations to contemporary patterns shaped by economic, political, and humanitarian factors, Muslims have long engaged with societies of varying faiths and cultures. The historical coexistence of Muslim minorities in diverse regions underscores the complexity and adaptability of these communities. However, modern challenges—spanning geopolitical tensions, the rise of nationalism, and

evolving global perceptions of Islam—add layers of difficulty and opportunity for Muslim minorities today.

Central to the discourse is the need to balance individual and collective religious identities with the laws and societal norms of host countries. Muslims strive to uphold their faith-based principles in environments that may not always accommodate or understand their practices. This balance becomes particularly critical in areas such as legal compliance, societal expectations, and personal expression. Navigating these dimensions often involves reconciling differences, confronting prejudices, and finding common ground for coexistence.

2.Objective

The aim of this paper is to examine the balance that Muslim minorities maintain between observing their religious principles and adhering to the rules and laws of non-Muslim-majority nations. It also explores the role of host societies in supporting Muslims' rights to practice their faith while ensuring mutual respect and social cohesion.

3.Structure of the Paper

This paper addresses the following themes: meaning of Hijrah, purposes of Hijrah, religious practices, dress codes, dietary restrictions, freedom of expression, and social integration. It concludes with recommendations for fostering respectful coexistence in multicultural societies.

4.The Hijri Calendar

The Hijri calendar was established by the second rightly guided Caliph and the Prophet's close Companion, Umar Ibn al-Khattab, in 637/638 AD. According to al-Jabarti, the great chronicler of the late 18th Century and early 19th Century, Abu Musa al-Ash'ari wrote to the then Caliph Umar Ibn al-Khattab saying, "Letters have reached us from the Commander of the Faithful, but we do not know which to obey. We read a document dated [the month of] Sha'ban, but we do not know which of the Sha'bans is meant: is it the month that has passed, or that which is to come?" After consulting the Prophet's Companions, Umar Ibn al-Khattab established the year of the Prophet's migration as the beginning of

the Islamic calendar since it was the single most important event in the Islamic world at that time. The Islamic calendar is usually abbreviated in Western languages from the Latin Anno Hegirae "the year of the Hijrah".

The Islamic calendar consists of 12 lunar months. They are (1) Muharram, (2) Safar, (3) Rabi al-Awwal, (4) Rabi al-Thani, (5) Jumada al-Awwal, (6) Jumada al-Thani, (7) Rajab, (8) Sha'ban, (9) Ramadan, (10) Shawwal, (11) Dhul-Qi'dah, (12) Dhul-Hijjah.

The most beloved people to Allah are those who are most beneficial to the people.

The most beloved deed to Allah is to make a human happy, or to remove one of his troubles, or to forgive his debt, or to feed his hunger. Whoever walks with his brother regarding a need until he secures it for him, then Allah the Exalted will make his footing firm across the bridge on the day when the footings are shaken.

Ibn Umar reported: The Prophet Muhammad (), said:

"أَحَبُّ النَّاسِ إِلَى اللَّهِ أَنْفَعُهُمْ لِلنَّاسِ" "أ"

—The people most beloved to Allah are those who are most beneficial to the people. (1)

This *Hadith* further defines the spirit of brotherhood which dominates the Muslim

community and gives positive examples of how members of that community should treat each other. It states that a Muslim who helps his brother in any way will have Allah's help and blessings in this life and in the Hereafter. The *Hadith* defines clearly that man's real value lies more in his deeds, in his kindness and mercy.

Abu Huraira reported: The Messenger of Allah, peace and blessings be upon him, said:

"مَنْ نَفَّسَ عَنْ مُؤْمِنٍ كُرْبَةً مِنْ كُرْبِ الدُّنْيَا نَفَّسَ اللَّهُ عَنْهُ كُرْبَةً مِنْ كُرْبِ يَوْمِ الْقِيَامَةِ وَمَنْ
يَسَّرَ عَلَى مُعْسِرٍ يَسَّرَ اللَّهُ عَلَيْهِ فِي الدُّنْيَا وَالْآخِرَةِ"

—Whoever relieves the hardship of a believer in this world, Allah will relieve his hardship on the Day of Resurrection. Whoever helps ease someone in difficulty, Allah will make it easy for him in this world and in the Hereafter. (2)

The Hadith teaches us to be supportive to others when they are in need. This act can make positive difference in others life for their safety and security. That sympathy for others will become the cause of Allah's blessing for us in the world and hereafter

In another narration, the Prophet (ﷺ) said:

"مَنْ أَنْظَرَ مُعْسِرًا أَوْ وَضَعَ لَهُ أَظْلَهُ اللَّهُ يَوْمَ الْقِيَامَةِ تَحْتَ ظِلِّ عَرْشِهِ يَوْمَ لَا ظِلَّ إِلَّا ظِلُّهُ"

—Whoever grants respite to someone in difficulty or alleviates him, Allah will shade him on the Day of Resurrection when there is no shade but his (3) Abu Musa reported: Whenever a beggar, poor and needy person came to the Prophet (ﷺ), he would say:

"اشْفَعُوا فَلْتُرْجَرُوا"

"Intercede and you will be rewarded" (4)

(1) Tabarani, Abu Al-qasim Sulaiman b Ahmad, (1415) Al-mujam al-awsat, Mu'jam Al-Awsat,

dar al-haramain, Cairo, Egypt. v:6, p: 139, #6026

(2) Muslim, Abu Al-Husain Muslim bin Hajjaj, Al-sahih, Dar Ihya al-tras-Beirut, Lebanon.

4:1996, 2580

(3) Timidhi, Abu Isa Muhammad Bin Isa, Al-sunan, Dar Ihya Al-turas al-arabi, Beirut. 3:599,

1306

(4) Bukhari, Muhammad Bin Ismail, Al-sahih, Dar ibn Kathir, Beirut, Lebanon, 5:2242,

The mentioned Ahadith of the Prophet (ﷺ) is to support the helpless in any case. Same kindness is to be shown in the case of the refugees to give them the asylum. In Islam, all genuine motives for asylum are valid. From its beginning, Islam being the mercy for mankind has given the orders for the granting of refuge and the protection of refugees. The Islamic concept, practices and principles on the matter are clearly defined. Islamic Shari'ah embraces a complete and very comprehensive set of rules regarding this topic on the one side; on the other side, the greatest number of refugees are truly Muslims and those hosting them are almost all Muslim States. The refugees presently fleeing to the other States may be divided into two groups, namely: those pushed to escape from their countries under threats of war, torture or persecution; and those interested to improve their status and lifestyle. It is self-evident that the first ones are the 'true refugees' in the eyes of Islam as well as international refugee law.

Islamic Shari'ah sets the checks under which asylum may be granted. Islamic territory includes territories, where Islamic Shari'ah is applied and where all inhabitants, Muslims as well as non-Muslims are living under the Muslim protection, enjoy the *Aman* of Islam. Imam Abu-Haneefah sets three conditions for the area of Muslim land, namely: Islamic provisions are visible in the area, i.e. that Islamic Shari'ah is the applicable law. It is neighboring to Muslim land its inhabitants; Muslims as well as non-Muslims (zimmi) enjoy the *Aman* of Muslims(5). The Malikites maintain that Dar al-Islam, (Land of Islam) is that where Muslim provisions prevail and the Shafi'ites maintain it is the land where Muslim inhabitants can display the provisions of Islam. According to Hanbali jurisprudence, —Every land, where Islamic provisions prevail, is a Muslim land, but any land, where the provisions of non-believers prevail, is a land of non-believers and there is

no other land but those. (6) Asylum may be granted in the places subject to the jurisdiction and authority of the Islamic state, such as premises of diplomatic missions or military vessels. (7) Muslim jurists also recognize asylum granted by

other states, in accordance with the —local jurisdiction rule and non-extension of Islamic state jurisdiction to areas beyond Muslim land.

4.1 Lexical meaning of Hijrah

The word Hijrah comes from the root h/j/r. These letters in Arabic indicate movement and locomotion. In whatever order, the letters convey sound audibility. And because sound causes movement in air and moves from one place to another, from the mouth of the speaker to the ears of the hearer, the root letters also connote transport and movement. Hijrah from one place to another involves movement and transport.

In Hans Wehrs Dictionary of Modern Written Arabic, the meanings listed for the noun “Hijrah” include: departure, exit, emigration, exodus and immigration while the meanings listed for the verb “hajara” include: to emigrate; to dissociate, separate, part, secede, keep away (from), part company (with); to give up, renounce, forgo, avoid ; to abandon, surrender, leave, give up, vacate (s.th. in favor of s.o.); to desert one another, part company, separate, break up.

In the Islamic tradition, the word “Hijrah” is used to describe the emigration of Muslims from Mecca to either Abyssinia (modern day Ethiopia) or it is most commonly used to refer to the Prophet’s migration from Mecca to Medina in 622 AD.

4.2:Kinds of Hijrah

There are two kinds of Hijrah; physical and moral.

Physical Hijrah

Physical migration can be defined as a process of moving, either across an international border, or within a state. Encompassing any kind of movement of people, whatever its length, composition and causes; it includes refugees, displaced persons, uprooted people, and economic migrants.

Religious persecution and the quest for religious freedom have played an important role in migration, forcing people to flee for their lives. The connection between religion and migration is a cross-cutting issue throughout the history of major religions such as Christianity (e.g. the spread of Catholicism by Portuguese and Spanish during the 11th and 12th centuries), Islam (e.g. the first and second migration during the Prophet Muhammad's time), and Judaism (e.g. the migration from Eastern to Western Europe and overseas, and to the United States of America during the 19th).

The relentless persecution of the early Muslims prompted the Prophet Muhammad (peace and blessings be upon him) to allow those who lacked power and protection to flee to Abyssinia. Muhammad Ibn Ishaq stated, "When the Messenger of God witnessed the trials descending upon his Companions, he compared this with his own good state derived from his own status with God the Almighty and from his uncle Abu Talib, and, recognizing that he was unable to prevent the evil befalling them, he told them, 'I wish you would go forth into the land of Abyssinia, for there is a king in whose realm no one is harmed and where truth prevails. Stay there until God the Almighty gives you relief from your plight.'" This migration to Abyssinia took place seven years before the Prophet's own Hijrah to Medina and was followed by a second one to Abyssinia a few years later.

The Prophet's Hijrah to Medina

While in Mecca, the Prophet (peace and blessings be upon him) continued to invite the Arab tribes that flocked to Mecca to God the Almighty, presenting himself to them and the message of guidance and the mercy that he brought.

When the Quraysh could not endure the Prophet Muhammad anymore, they decided to get rid of him once and for all. They consulted among themselves on how best to do this and Abu Jahl said, "I think we should select one young man from each tribe, and someone who is strong, of excellent lineage and reputation as a leader. We should give each one a sharp sword and they would go to him and use the swords to strike him in unison. They would kill him and we would then be rid of him. If they do this, his blood will be spread over all tribes. And the Banu Abd Manaf will not be able to do battle against them all. Therefore, they will accept blood money which we can pay them."

Gabriel came to the Messenger of God (peace and blessings be upon him) and commanded him not to sleep in his bed that night. The Prophet asked Ali Ibn Abu Talib to sleep in his bed instead of him, promising that no harm would come to him. Taking a handful of dirt and sprinkling it at those who gathered outside his door to kill him, the Prophet slipped away unseen after he had recited the following verses, "Ya Sin. By the Qur'an, full of Wisdom, -Thou art indeed one of the apostles, On a Straight Way. It is a Revelation sent down by (Him), the Exalted in Might, Most Merciful. In order that thou mayest admonish a people, whose fathers had received no admonition, and who therefore remain heedless (of the Signs of God ...The Word is proved true against the greater part of them: for they do not believe. We have put yokes round their necks right up to their chins, so that their heads are forced up (and they cannot see). And We have put a bar in front of them and a bar behind them, and further, We have covered them up; so that they cannot see" (Quran 36: 1-9).

He then made his way to Abu Bakr who had made preparations for the journey.

And so God the Almighty gave His permission to His Prophet to migrate. The event marks the beginning of the Islamic era as was agreed upon by the Companions during Umar's rule.

Moral Hijrah

The term "Hijrah" has important subtle meanings associated with it other than physical movement from one place to another. In addition to its physical sense, it also means to abandon something and neglect it. This meaning finds support in some Prophetic traditions such as the one narrated by Abdullah Ibn Umar in which the Prophet (peace and blessings be upon him) said, "The muhajir (emigrant) is the one who abandons what God has forbidden" (Bukhari and Muslim).

The idea of a metaphorical Hijrah has numerous references to the life of the Prophet (peace and blessings be upon him). Just as the Prophet's Hijrah to Medina was a transitional line between two states, a state of weakness to a state of security, the Hijrah of the soul is likewise a transitional line between the human weakness for sin to a position of security from sin, a state of disobedience to one of obedience. The Prophet's departure from Mecca was a flight from the polytheists and from a hostile unbelieving environment, with the aim of finding

security in another secure place and forming a new community based on piety; it was a move to a better situation conducive to production for the sake of God. In a similar vein, a person undertaking a moral Hijrah migrates from everything God has forbidden without falling prey to his earthly desires. It is a flight for the sake of moral refuge from all forms of evils and corruption. It is a spiritual leave-taking from oppression to justice; from cruelty, harshness, and pitilessness to mercy, compassion and grace; from intolerance to forbearance; from indulgence to moderation; from miserliness to generosity and munificence; from malignity to benevolence; from selfishness to charity and altruism; from hard-heartedness to sympathy; from hostility to goodwill and friendliness; from conflict and strife to peace and amity; from ignorance to knowledge; from pride to humility; from sins to repentance; and from defiance and resistance to God's commands to complete submission to him. It is most of all a return to man's natural disposition of good. Perhaps the spiritual Hijrah is best expressed by the words of our Prophet Ibrahim who said, "I will flee to my Lord: He is the Almighty, the All-Wise" (Quran 29:26).

Also God's command to our Prophet Muhammad, "Say, Indeed, my prayer, my rites of sacrifice, my living and my dying are for God, Lord of the worlds. No partner has He. And this I have been commanded, and I am the first (among you) of the Muslims (Quran 6:162-163).

The metaphoric content of the journey is evoked every time a person decides to emigrate from prohibitions and disobedience. Like the Prophet's journey from Mecca to Medina, the flight to moral excellence and obedience is not without difficulties. Man's existence on earth is not a promenade through life. His path is fraught with hurdles and fears, but with being mindful of God and following the guidance of our beloved Prophet (peace be upon him) it makes the journey in life light and easier. Sometimes the journey often means forsaking what one desires for what God desires. Because man has been ordered to strive for the life prescribed by God the Almighty, he cannot succumb to harsh conditions or to his weakness and desires. He must rely on God and cannot blame circumstances that are forced upon him or the temptations he meets along his way, taking in mind that God intends us ease and not to place a burden upon us. He also cannot give in or rely solely on God to live the virtuous and pious life required of him. He has to exert effort to attain the glory of God's pleasure. On returning from a battle, the Prophet (peace and blessings be upon him) once said, "We

have returned from the lesser jihad to the greater jihad.” This tradition clearly demonstrates man’s part in struggling against his own weakness and inclination for wrongdoing.

The secret nature of the Prophet’s Hijrah and the precautions he took all demonstrate his human insecurities. He ordered Ali to sleep in his bed in his place, chose an unconventional route to Medina, took measures to wipe out their footsteps, and sheltered with his companion Abu Bakr in a cave to hide from the pursuing enemy. All of this reveals his reliance on God but at the same time, his employment of every human endeavor to achieve his goal. In a similar fashion, we are instructed to employ every measure possible to achieve our goal. i.e. obedience to God and the attainment of His pleasure both of which will ultimately secure for us God’s promise of an eternal life in paradise in the hereafter. This promise alone is a motivating force to do better, to shun disobedience and to strive for God’s pleasure.

The end of the Prophet’s journey and the triumphant welcome he received in Medina foretell our own triumph at the end of our journey on earth and our entry into paradise. The Prophet’s flight from Mecca to Medina, from a land of hostility to a land of security should serve as a moral compass for us. By all scales, the Prophet’s journey to security was not easy and neither is our own. The conscious decision to migrate from both major and minor transgressions is indeed of great magnitude and the difficulties that may ensue in its wake should not deter us from embarking on it. In essence, the Prophet’s migration was about fulfilling his mission on earth. Our moral migration, in turn, must also be about fulfilling our mission on earth for God says, “I created jinn and man only to worship Me” (Quran 51:56). It should determine our departure from the various realms of sin to a desire to attain Divine propinquity and secure our place in the hereafter. Although oftentimes difficult, a perpetual moral migration is the mark of a life lived along the lines of righteousness and success.

Although all kinds of Hijrah involve entering uncharted territory and therefore evoke a sense of fear in pledging to withstand the tribulations ensuing from the decision to stay on the path of truth, it is important to remember that God the Almighty is always the best Companion on the road to righteousness. We should always keep in mind the Prophet’s words of reassurance to Abu Bakr when, on their way to Medina, the Quraysh search party that was after them came

dangerously close to the mouth of the cave where they were hiding. When Abu Bakr expressed his alarm, the Prophet told him, "Have no fear for God is with us."

As the beginning of the Islamic New Year draws close, we would do well to reflect on the many lessons we can derive from the momentous journey on which the beginning of the Islamic calendar is based. We should not be content to celebrate the new Islamic year without drawing moral and psychological parallels from the Prophet's journey from Mecca to Medina to our own context and lives.

4.5: The Significance of Hijrah in Islam

Hijrah, migration or exodus, initially of the Prophet Muhammad and his companions from Mecca to Yathrib (later renamed Madinah), features prominently in the Qur'an and the teachings and Sunnah of the Prophet himself. The Prophet and his followers migrated, after thirteen years of campaign in Mecca on 1 Rabi' al-Awwal/13 September 622 AD, arriving in Yathrib 11 days later on 24 September. The commemoration of the Hijri calendar was instituted, however, seventeen years later by the second caliph, 'Umar ibn al-Khattab (r. 634-644). The new calendar dates from the first day of the first lunar month of the year, that is, Awwal Muharram. Although 'Umar instituted the official era, the custom of referring to events and happenings to before or after the Hijrah originated with the Prophet himself. Hijrah in the early history of Islam is also discussed in conjunction with the migration of a group of Muslims from Mecca to Abyssinia in 615 AD. They were subjected to persistent persecution by the pagans of Mecca so much so that the Prophet advised them to seek asylum in Ethiopia where they could live in peace under the Christian emperor Negus. They migrated and stayed in Ethiopia until time was right for them to join the Prophet in Madinah. Although migration to Ethiopia was voluntary and limited in scope, the one to Madinah was obligatory and involved the entire Muslim community. No Muslim was supposed to stay behind except for the very weak, women, children and the sick, who could not afford to travel the 270 km distance to Madinah. The word hijrah in the Qur'an is used in the sense of departure, abandonment or boycott, usually implying the idea

of abandonment physically or mentally, of an existing undesirable state for something better. The Prophet's migration to Madinah played a decisive role in consolidating the unity of the nascent community of Muslims, not only in their faith in Islam but also in the physical sense of exodus to a new destination. That hijrah moved the centre stage of events in the early history of Islam from Mecca to Madinah and marked a turning point in the eventual success of Islam. It was also a test of devotion to Islam, indicating a willingness to endure all suffering caused by the movement to a new locale for the sake of protecting one's life and faith (Qur'an, 3:195; 4:100).

123ICR 5.1 Produced and distributed by IAIS Malaysia The emigrants had to leave behind their homes, friends, family and belongings. To take a challenge of that kind was an act of faith that demanded strength of conviction. It is in this light that hijrah was made into an obligation and no longer a mere expression of individual freedom. Many Muslim scholars also reached the conclusion that hijrah was advisable, even from Islamic lands, if it meant escape from an environment of oppression, denial of freedom of conscience, and indulgence in sin. The major message of hijrah is one of transformation, both inner and outer, for Muslims in the context both of religion and exit physically from unacceptable conditions, just as it also meant a symbolic refusal to lose hope in the face of persecution. The moral of hijrah is that religious persecution is a violation of religious freedom (Qur'an, 2:218; 4:97). Hijrah has also impacted the language and style of the Qur'an and the manner how Muslims were to relate with other communities and nations. The psychologically intense tone of the Qur'anic engagement with the idolators of Mecca began to change, after the Prophet's migration, to a more serene tone of language and discourse. In terms of content and subject matter, the Qur'anic messages began to evolve, from an initial focus on the essentials of belief and monotheism, worship and morality, to legal rules that regulated the various aspects of life in the new environment. Another manifestation of hijrah in the Qur'an is that all of its 114 suras bear the designation, whether of Makki or of Madini origin, which has in turn juridical consequences for understanding the occasions of revelation (asbab al-nuzul) of its various verses, and the more contentious phenomenon of abrogation (naskh) therein. Muslims have also interpreted the hijrah in

various other ways. They often imbued with symbolism and validation of their various interpretations of the religion. In Sufi literature, for instance, the hijrah is considered an important stage in the inner spiritual journey of returning to one's Creator and abandonment also of attachment to one's worldly and material belongings. Enduring the physical hardships of hijrah is viewed as a process of self-purification for the love of God. Various religious and political movements in Africa and Asia in the pre-and-post colonial times have, furthermore, employed hijrah as a major theme of their movements. Hijrah was, thus, seen to be closely associated with jihad as those who migrate in the way of God also engage in a holy struggle and true meaning of jihad. An emigrant is described as one who abandons sin and also associating with habitual sinners. This was taken further by one Qur'an commentator, Sayyid Qutb (d. 1966), for instance, to urge his readers to dissociate themselves from corrupt society, a controversial linkage that was subsequently taken by such radical groups as that of al-jihad wa'l-hijrah to draw some of their unwarranted conclusions.

VIEWPOINTS

124ISLAM AND CIVILISATIONAL RENEWAL Hijrah features in numerous hadiths, in one of which it has been linked with repentance (tawbah), which is itself a major theme of Islam. Thus, the hadith that "migration will not end until repentance ends and repentance will not end until the sun rises in the west." The parallel between migration and repentance here visualises the mental or psychological dimension of hijrah in the sense that both signify a mental departure from a certain state of mind toward a fresh resolve for self-renewal, transformation and reform.

Proposed some options to the community when a Muslim live in non Muslim country:[5]

4.4 The Need for Three Institutions

4.4.1: The Mufti

In order for us to come to a point where we can work together in spite of our differences, or with our differences, we need three institutions. The first one is the institution of fatwa. Fatwa is a non-binding legal opinion. It is not binding

on all the Muslims. It is binding on those who ask for it, but it is a non-binding opinion, and there is room for differences and other opinions. The mufti is somebody who gives legal opinions based on the understanding-on the ijtihaad-of all of the different areas of need in the sharia', such as marriage, the rules of buying and selling, the rules of prayer, and the rules of tahaara (cleanliness and purification). The mufti is involved in all of these different things. So, we need a muassasa that deals with this for the Muslims. They need a sound source for guidance when these issues occur in which there are differences.

4.4.2:The Court

The second institution we need is a *muassasa* of tahkeem, which is an institution that issues rulings. In this culture, it is called people's court. A people's court is where the state does not get involved with the case. The parties that are differing agree to go to somebody who will listen to both sides and then make a judgment, and that judgment becomes binding upon them based on the prior agreement of the two. This has been done already in the United States in Texas, so there are Muslims that are doing this, and we should be competing with them in good.

4.4.3:Reconciliation

The third institution we need is the *sulih*. A *musassasa* deals with *sulih* which is reconciliation. It deals with bringing people together. Somebody brings the differing groups together and reconciles between them so that they can work together or work separately in peace; thus, they are not fighting each other, undermining each other's work.

All of these institutions are necessary, but it is impossible to get these without having the least amount of respect and desire to bring this about. There has to be a desire for this, and if the desire is not there, then it is a disaster. Furthermore, setting up these particular institutions is not different from setting up other organizations such as those that are created for social issues, for helping the needy, and for doing all the other different things that organizations do. These three institutions are necessary for us in order for us to move on and to resolve a lot of the things that are causing disruption.

4.4.4: Relationships Between Muslims and non-Muslims

The first thing we looked at was our relationship between Muslims in these lands living together. The second thing we have to look at is the relationship that we have with non-Muslims. Now, an issue that we must look at is that of the abode: the *daar*. Although there may be some people who are educated in Islam who are aware of this issue of the abode, there are many people who are unaware of this issue. In fact, you will even find some people who are fuqaha, scholars of Islamic law and the legal system, who are unaware of this issue. The issue of the abode is this: most people think that the world is divided into two abodes, the abode of peace and the abode of war. The abode of peace is the land of the Muslims, *daar al-Islam*, and the abode of war is everywhere else. In Nixon's book that I read a translated version of called *Seizing the Moment*, Nixon wrote a long chapter on the Islamic phenomenon of the modern world. One of the things Nixon said after praising Islam a great deal and saying many nice things about Islam is that one of the most fundamental problems with the Muslims is that they view the world as a dichotomy of two abodes: the abode of peace and the abode of war. So, the central aspect of international relationships with the Muslims is aggression; it is one of war. This idea is wrong. There are three abodes: there is the abode of peace, the abode of war, and then there is the abode of treaty where there is a contractual agreement between two abodes.

For instance, when I came into this country, they issued me a visa, and I signed something. In the issuance of the visa and my signing of it, a legally binding contract occurred which was a *sulih*. It was an agreement that when I came into this country, I would obey the laws and would follow the restrictions that this visa demanded that I follow. This was a contractual agreement that is legally binding according even to the divine laws. In looking at this, we have to understand that the relationship between the Muslims living in this land and the dominant authorities in this land is a relationship of peace and contractual agreement-of a treaty. This is a relationship of dialogue and a relationship of giving and taking.

4.4.5: Right to teach Islam

We should remember that when the Messenger of Allah, *sallallaahu 'alayhi wa sallam*, was in Makkah, what he asked for from the Quraish was just that they

left him alone to do his da'wa. He said, "*Khalu bayni wa baynan naas*. Leave me alone to talk to these people. Let me speak to them; let me call them." And they wouldn't let him do that. However, in this country, the ruling people are allowing you to call people to Islam, and this is exactly what the Messenger of Allah, sallallaahu 'alayhi wa sallam, was asking that they allow him to do in Makkah. These people here are allowing you to call people to Islam. They are not prohibiting you. If you go out and proselytize, they don't come and arrest you; they don't punish you; they don't torture you. This idea here should be understood, and the verse from the Quran that we should take as the overriding verse in our relationship with this people is where Allah subhaana wa ta'aala says concerning those who neither fight you because of your religion nor remove you from your homes that He does not prohibit you from showing them *birr*: righteousness. "*Birr*" in the Arabic language is the highest degree of *ihsaan*-it is the *'aala daraja* of *ihsan*. Allah does not prevent you from showing them excellence-moral excellence-in your transactions with them nor from sharing with them a portion of your wealth.

Qadi Abu-Bakr, Ibn 'Atiyah, and others have also said that this is what "*antuqsitu 'ilayhim*" means. You give non-Muslims *qistan*: a portion of your wealth. In the early period of Islam, this is ta'lif al-quloob: one of the things that they used to do in order to bring people close. They would give monetary gifts to people whom they saw had inclinations towards Islam in order to draw the hearts. The Messenger of Allah, sallallaahu 'alayhi wa sallam, said, "give gifts to each other and love one another." So, the act of giving something naturally inclines the one who is receiving the gift to have feelings of love towards the person who is giving them. The reason for doing these things-for treating these people with respect, showing this good character, and having this good courtesy-is that you will get from amongst them those who respond and will actually enter into Islam. This really is how we should see our relationship. The Messenger of Allah, sallallaahu 'alayhi wa sallam, not only gave gifts to some of the mushrikeen in Makkah, he also received gifts from them because his goal was that they become Muslim. He did not want to fight them-that was the last resort. The goal was that they become Muslim, that they enter into Islam.

4.4.6:Non-aggression and honesty

Also, it is necessary for us to show respect to these people. Islam prohibits us from showing aggression towards people who do not show aggression towards us. The Messenger of Allah, sallallaahu 'alayhi wa sallam, said, "Do not enter the houses of the Christians nor eat anything of their fruits except with their permission." Islam prohibits theft; it prohibits fraud; it prohibits cheating; and it prohibits these things in relation to the Muslims and in relation to the non-Muslims. The things that you cannot do to a Muslim, you also cannot do to a non-Muslim. The Messenger of Allah, sallallaahu 'alayhi wa sallam, also said, "None of you truly believes until he wants for his brother what he wants for himself." Imam Shabrakhiti ibn Rajul al-Hambali and others mentioned that "brother" here not only means your brother Muslim because this is a close brotherhood of Islam that others are not in, but it refers to the greater and broader brotherhood of our Adamic nature. It is a brotherhood in the sense that we are all from Adam, that Adam is the father of all us. Understanding this should cause us to realize that we have distant relations with all of these people out there, and all of them are potential Muslims. We should see them as potential Muslims.

In addition, we have to recognize that the creation itself is a creation of diversity. It is a creation in which you see variation of colors. Allah did not make all the trees one, and He did not make all the animals one. He diversified the creation. He diversified even our colors and our languages; and He did all this for a wisdom. Not only that, Allah subhaana wa ta'aala made us on different religions and different paths, and He did that intentionally because He said in the Quran, "They continue to be in differences except those whom your Lord has shown His mercy to, and for that reason He created them." So, Allah subhaana wa ta'aala is saying that He actually created us in order that we differ-that there is a wisdom, a divine wisdom in the differences that we have. He created us to show mercy to us as well. So, we have to rise up to this challenge. This is a high challenge, and we as Muslims have to rise up to this challenge.

4.4.7: Moderation: avoiding the Extremes

Another thing that is very important for us to remember is the moderation of Islam. This is a deen of *wasatiyyah*: it is a deen of moderation. We are a moderate community. We are between the two extremes of excess and deficiency. We are in the middle. The Messenger of Allah, sallallaahu 'alayhi wa sallam, said, "Those people who go into matters too deeply will be destroyed." [The shaykh is an expert in the Arabic language, and he said, "those people" are people involved in "*tatarruf*" or extremism. That is what "*tanata`u*" is.] The Messenger of Allah, sallallaahu 'alayhi wa sallam, said, "The extremists are destroyed," and he said, "Beware of extremism in the deen." The Prophet, sallallaahu 'alayhi wa sallam, warned against extremism, and he did not like it. Notice that one of the things that extremism does is that it causes you to lose your rational component so that you are not able to weigh things rationally. Once you have gone to an extreme, you can no longer see things in any balanced way. You have lost that balance of the middle way. This makes you think that what you are doing is right even though it is clearly wrong to others.

4.4.8: Other Matters of Importance

Next, I want to go into some more detail in looking at the general aspect of our condition here. I already spoke about the two most important concerns which are the relationships between Muslims amongst each other and the relationship between Muslims and the dominant culture. Now I would like to go into a few important points that relate to more detail. The first thing is that it is absolutely essential that you respect the laws of the land that you are living in. There are a number of reasons for this, but the least of this is the principle "*al-muslimu la yudillu nafsa*: a Muslim does not place himself in a state where he is humiliated." You are living in a land in which the people are very serious about their laws, and if you break the laws, this can result in you being tried as a criminal and being sent to prison and being completely humiliated as a Muslim where non-Muslims are putting you in a cage and preventing you from your own human dignity of freedom and other things. So, it is essential that we remember that.

It is well known that Abu Hanifa, radi Allahu 'anhu, did tahajjut every night. He would spend his night reciting the Quran. He had a neighbor who was an alcoholic, and he used to drink a lot and sing love poems. This used to bother

the imam. But one day, the imam did not hear this man's revelry, so he went and asked about him. They said, "Oh, so-and-so. They took him to jail." So, the very well respected imam went to the jail. He was the most respected imam and qaadi at the time in that place. When the ruler found out the imam went to the jail, he asked for the reason and was told that the imam was concerned about his neighbor who had been arrested. So, the ruler said to release the man, and he was released. The neighbor then asked Abu Hanifa why he did that, and he replied, "Because you have a right upon me as a neighbor, and I have not been neglectful of that." That was the reason that the neighbor made *tauba* to Allah subhaana wa ta'aala.

5. Some Challenges when a Muslim live in Non Muslim Country:

5.1. Religious Practices and Observances

5.1.1 The Importance of Prayer in Islam

Prayer, or Salah, is one of the Five Pillars of Islam, making it an obligatory act for all practicing Muslims. Performed five times a day at prescribed times, Salah is more than a ritual; it is a profound spiritual discipline that shapes the daily rhythm of a Muslim's life. Beyond its spiritual significance, Salah fosters a sense of community and solidarity among Muslims worldwide.

In a Muslim-majority environment, the call to prayer (adhan) serves as a communal reminder, and public facilities are often designed to accommodate prayer needs. However, for Muslims in non-Muslim majority countries, the absence of these provisions creates challenges that range from logistical inconveniences to emotional and spiritual struggles.

5.1.2 Time Constraints and Workplace Challenges

One of the most significant difficulties Muslims face in observing Salah is the need to align it with daily schedules in societies where Islamic practices are not widely recognized. In non-Muslim-majority countries, work and school schedules typically do not accommodate prayer times, which are based on the position of the sun and therefore vary throughout the year.

5.1.2,1 Lack of Awareness in Workplaces

- Many employers and colleagues may lack awareness of the significance of Salah, leading to misunderstandings or even resistance to requests for breaks.
- Negotiating prayer breaks can sometimes result in discomfort for employees, who may feel they are drawing unwanted attention to their religious practices.

5.1.2.2 Limited or Inappropriate Spaces

- Finding a clean, quiet, and private space for prayer is often a challenge.
- Improvised spaces such as storage rooms or parking lots may not meet the spiritual or hygienic requirements (e.g., wudu, or ablution).

5.1.2.3 Time Pressures

- The rigid nature of work schedules can compress the time available for prayer, leading Muslims to combine prayers (which is generally discouraged outside exceptional circumstances).
- Fear of being judged or penalized at work may force some to skip prayers altogether, leading to feelings of guilt and spiritual dissatisfaction.

5.2. Educational Settings: A Barrier for Young Muslims

For Muslim students in non-Muslim-majority countries, balancing academic responsibilities with prayer observance can be daunting. School schedules rarely align with prayer times, and facilities for wudu and prayer are often unavailable.

5.2.1 Cultural Pressures

Young Muslims may feel embarrassed or face peer pressure when excusing themselves for prayers, especially in environments where religion is not openly practiced.

The lack of understanding among peers and educators can lead to alienation or bullying.

5.2.2 Inadequate Support Systems

Many schools do not provide prayer rooms, leaving students to pray in hallways, stairwells, or other unsuitable locations.

In some cases, school policies explicitly restrict religious practices, citing

neutrality or secularism, which can marginalize Muslim students.

5.3 Challenges of Jummah (Friday Prayers)

Friday, or **Jummah**, holds special significance in Islam, requiring Muslims to perform a congregational prayer at midday. This poses unique challenges for Muslims in non-Muslim-majority countries, where Fridays are typically regular workdays.

5.3.1 Scheduling Conflicts

- Muslims often need to negotiate extended lunch breaks or take time off to attend Jummah prayers. This can strain employer-employee relationships.
- Students may face difficulty explaining their need to leave classes early.

5.3.2 Limited Access to Mosques

- The scarcity of mosques in some areas may require Muslims to travel long distances for Jummah prayers.
- Overcrowding at mosques during Friday prayers can make it difficult to participate fully, especially in urban centers with high Muslim populations.

5.4. Emotional and Spiritual Struggles

The logistical and societal challenges of maintaining regular prayer can lead to emotional and spiritual struggles for Muslims.

5.4.1 Isolation and Loneliness

- The inability to pray in congregation or attend mosques regularly may leave Muslims feeling disconnected from their faith community.
- In extreme cases, these feelings of isolation can lead to spiritual decline or a weakened religious identity.

5.4.2 Anxiety and Fear

- Muslims in countries with heightened anti-Muslim sentiments may fear public displays of worship, such as prayer in open spaces.
- Concerns about harassment, discrimination, or even physical harm can deter Muslims from fulfilling their religious obligations.

6.Observing Ramadan and Eid

For Muslims worldwide, Ramadan and Eid represent profound moments of faith, community, and celebration. These religious observances are not only spiritual but also cultural, marking a time for reflection, charity, and unity. However, for Muslims living in non-Muslim majority countries, navigating the unique rhythms of Ramadan and the festive joy of Eid can be fraught with challenges. From logistical hurdles and social isolation to misconceptions about fasting and celebrations, Muslim minorities must often find innovative ways to honor their traditions while engaging with their broader communities.

This section delves into the multifaceted experiences of Muslims during Ramadan and Eid in non-Muslim-majority contexts. It explores the challenges they face, the strategies they employ to preserve their faith and cultural practices, and the broader implications for identity and social integration.

Ramadan is the ninth month of the Islamic lunar calendar, observed as a time of fasting, prayer, reflection, and community. Muslims fast from dawn to sunset, abstaining from food, drink, and other physical needs. The fast is broken each evening with a meal called **iftar**, and the pre-dawn meal is known as **suhoor**.

The conclusion of Ramadan is marked by **Eid al-Fitr**, a joyous celebration that includes communal prayers, feasting, and acts of charity. Another major holiday, **Eid al-Adha**, follows the Hajj pilgrimage, symbolizing sacrifice and devotion. These occasions are central to Muslim identity and community cohesion.

6.1 Challenges of Observing Ramadan in Non-Muslim Countries

6.1.1 Fasting Amid Non-Muslim Schedules

The primary challenge for Muslims during Ramadan is aligning fasting with the demands of daily life in societies that do not observe the holy month.

- **Workplace and Educational Challenges:** In many non-Muslim-majority countries, workplaces and schools operate without consideration of Ramadan's fasting hours. Muslims must often work full days or attend classes while fasting, which can be physically and mentally taxing.

- **Social Pressures:** Attending meetings, social gatherings, or meals with non-Muslim colleagues or friends during fasting hours can create discomfort and isolation.

6.2 Long or Short Fasting Hours

In countries farther from the equator, fasting hours can be exceptionally long or short due to the variation in daylight during different seasons.

- **Health Concerns:** Fasting for 18–20 hours in some regions can pose physical challenges, especially for individuals with demanding jobs or health conditions.
- **Religious Flexibility:** Islamic scholars often provide guidelines for extreme fasting situations, but applying these rulings in diverse communities can be complicated.

6.3 Food and Lifestyle Adjustments

- **Availability of Halal Food:** Preparing for Iftar (breaking the fast) and Suhoor (pre-dawn meal) may be complicated by limited access to halal food, particularly in areas with smaller Muslim populations.
- **Lack of Community Support:** The communal spirit of Ramadan, reinforced through nightly prayers and shared meals, may be diminished for Muslims in isolated areas.

6.4 Adjusting to a Regular Workday

Unlike Muslim-majority countries, where Eid is a national holiday, in non-Muslim societies, it is typically a regular work or school day.

- **Leave Requests:** Muslims often need to negotiate time off to attend Eid prayers and celebrations, which may not always be granted or understood.
- **Balancing Responsibilities:** Many Muslims find it challenging to juggle their professional obligations with the desire to participate in Eid festivities fully.

7. Coping Mechanisms and Adaptation Strategies

7.1 Community-Led Initiatives

- **Islamic Centers and Mosques:** These institutions play a crucial role in providing spaces for collective worship, organizing Iftar meals, and hosting Eid celebrations.
- **Virtual Communities:** Online platforms have become invaluable for Muslims to connect, share resources, and maintain a sense of community, especially in areas with fewer Muslims.

7.2 Workplace and School Advocacy

- **Educating Employers and Educators:** Raising awareness about the significance of Ramadan and Eid can lead to better accommodations, such as flexible work hours or exam schedules.
- **Policy Changes:** Advocacy for recognizing Eid as an optional holiday in multicultural societies is gaining traction in some regions, reflecting growing acceptance of religious diversity.

For Muslim minorities living in non-Muslim majority countries, observing Ramadan and Eid represents a profound act of faith and resilience. Despite the myriad challenges posed by logistical constraints, societal misunderstandings, and emotional isolation, these sacred periods also offer opportunities for Muslims to reaffirm their identity and build bridges with their broader communities. By fostering understanding, advocating for accommodations, and leveraging technology and community networks, Muslims can navigate these observances effectively, contributing to a richer, more inclusive multicultural fabric.

8. Dress Code and Religious Symbols

Islamic Dress Code

For Muslims, clothing and religious symbols serve as expressions of faith and identity, deeply rooted in Islamic teachings and cultural traditions. These include modest attire, such as the hijab, niqab, or jilbab for women, and kufi or traditional garments for men, along with the use of religious symbols like prayer beads or Qur'anic jewelry. In non-Muslim majority countries, adherence to these practices can lead to unique challenges and opportunities as Muslims navigate cultural expectations, societal norms, and legal frameworks.

This section examines the complexities surrounding the dress code and religious symbols for Muslim minorities. It explores the tension between religious obligations and societal pressures, the role of legislation and workplace policies, and the emotional and psychological effects of navigating these issues. Strategies for integration, interfaith dialogue, and promoting understanding are also discussed.

8.1. Significance of Dress Code and Religious Symbols in Islam

In Islam, clothing serves purposes beyond aesthetic appeal—it is a reflection of modesty (haya), identity, and submission to Allah's will. Both men and women are encouraged to wear modest attire, as outlined in the Qur'an and Hadith:

- **Women's Dress Code:** The hijab (headscarf), niqab (face covering), and jilbab (long outer garment) are often seen as symbols of modesty and empowerment. They are meant to protect from undue attention and promote dignity.
- **Men's Dress Code:** Islamic guidelines for men emphasize modest clothing that covers the body from the navel to the knees and avoids extravagance.

Religious symbols, such as the kufi, tasbeih (prayer beads), or Islamic pendants, further represent faith and cultural heritage. These outward expressions often act as markers of religious identity, making them highly visible in public spaces.

8.2. Challenges of Dress Code and Religious Symbols in Non-Muslim Contexts

8.2.1 Stereotypes and Misconceptions

- Islamophobia: Visible markers of Islam, such as the hijab or kufi, can make Muslims targets of discrimination, hostility, or verbal and physical abuse.
- Misrepresentation: Media portrayals may link Islamic dress to extremism or oppression, fostering misunderstandings among non-Muslims.
- Gendered Prejudice: Muslim women wearing the hijab or niqab often face greater scrutiny, with their attire wrongly interpreted as a sign of subjugation or lack of agency.

8.2.2 Workplace Discrimination

- Dress Code Policies: Employers may enforce policies that conflict with Islamic attire, such as bans on headscarves or restrictions on loose-fitting clothing.
- Missed Opportunities: Muslims may face obstacles in hiring or promotions due to biases against religious attire.

8.2.3 Educational Challenges

- School Policies: In some countries, schools may prohibit headscarves or other religious symbols, creating barriers for young Muslims.
- Bullying and Peer Pressure: Muslim students wearing hijabs or traditional attire may become targets of bullying or feel excluded in environments where such practices are uncommon.

8.2.4 Legal Restrictions

- Bans on Religious Symbols: Countries like France have enacted laws restricting the wearing of religious symbols, including the hijab, in public spaces or institutions.
- Ambiguity in Laws: Legal gray areas surrounding religious attire can lead to inconsistent enforcement and confusion for Muslim minorities.

9. Coping Mechanisms and Adaptations

9.1 Community Support Networks

- Mosques and Cultural Centers: These serve as safe spaces where Muslims can freely practice their faith and express their identity.
- Community Events: Fashion shows or cultural exhibitions highlighting Islamic attire can promote understanding and appreciation.

9.2 Legal Advocacy

- Organizations like the Council on American-Islamic Relations (CAIR) and Islamic Human Rights Commission (IHRC) work to challenge discriminatory laws and policies.
- Advocacy for the inclusion of religious freedom in workplace and school policies can ensure better protections.

9.3 Education and Awareness

- Conducting workshops or seminars in schools, workplaces, and public forums to educate others about Islamic dress and its significance.
- Leveraging social media to share personal stories of Muslims and demystify religious symbols.

10. Dietary Rules and Observances

Halal Dietary Requirements

Muslims are required to consume halal food, which follows Islamic dietary laws. For Muslims in non-Muslim-majority countries, accessing halal food can be challenging, particularly in regions where halal certification is rare or misunderstood.

Fasting Practices

During Ramadan, Muslims fast from dawn to sunset, which can be physically demanding in work or school environments. Some institutions accommodate by adjusting schedules or providing space for prayer and rest, while others do not.

Examples:

- Restaurants and cafeterias offering halal options.
- Schools allowing Muslim students to observe Ramadan without penalty.

11. Rules on Freedom of Expression and Religious Rights

Freedom of Religion

International laws generally support religious freedom, but Muslim minorities may face limitations on how they express their faith. In some places, restrictions on religious symbols or gatherings challenge Muslims' ability to openly practice Islam.

Case Study:

- The freedom of religious assembly in the United States, compared to stricter regulations in some European countries, reflects varied approaches to religious freedom.

Community Spaces and Mosques

The establishment of mosques and community centers is crucial for Muslim minorities, serving both as places of worship and community. However, obtaining permits and facing opposition from local residents are common hurdles.

(Include local regulations and public sentiment analysis in different countries.)

12. Legal Obligations and Integration into the Host Society

12.1: Adhering to Local Laws and Cultural Norms

Muslim minorities are generally expected to respect the laws and cultural norms of their host country, even if they conflict with Islamic principles. These include laws on marriage, family practices, and the rights of women and children.

Examples:

- Differences in family law, such as inheritance and marriage contracts.
- Respecting local customs that may differ from Islamic cultural norms.

12.2: Role of Islamic Councils and Community Guidance

Islamic councils often provide guidelines for how Muslims can practice their faith within the legal frameworks of their host countries. These councils may offer guidance on marriage laws, halal certification, and other matters relevant to Muslim minorities.

13. Challenges in Social and Economic Integration

13.1: Employment and Workplace Rules

Employment rules that require Muslims to adhere to certain dress codes or work during prayer times can create challenges. Employers in some countries have policies to accommodate religious needs, while others have rigid rules.

Example:

- Case of Muslim healthcare workers and policies around wearing the hijab or taking breaks for prayer.

13.2: Education and Cultural Identity

Educational environments often play a significant role in the integration of young Muslims. Some schools offer Islamic education or allow time for prayers, while others encourage assimilation without room for religious accommodations.

(Expand with studies on Muslim students' experiences in various countries.)

14. Recommendations for Harmonious Coexistence

14.1: Policy Recommendations

1. **Inclusivity Training for Institutions:** Schools, workplaces, and healthcare providers should undergo training to understand Muslim customs and practices.
2. **Balanced Policies on Religious Expression:** Encourage governments to create policies that respect religious expression without forcing assimilation.

14.2:Community-Based Solutions

Local governments can support initiatives that foster dialogue between Muslims and the broader community, helping to build understanding and reduce stereotypes.

This paper has examined the rules and challenges faced by Muslim minorities in maintaining their religious identities within non-Muslim-majority countries. Through a balanced understanding of legal, social, and cultural factors, societies can foster environments where Muslims are respected and able to integrate without compromising their faith.

15:Open question and answer: [1]

1.Question

If Muslims reside in a non-Muslim country, is that regarded as a sin? Is that the case even for Muslims who have no choice except to live in that country? I was born as a Muslim in a non-Muslim country. I grew up in America and married a Muslim man, and now I live in Australia. I give thanks to Allah, may He be glorified and exalted, Who guided me to the straight path after I was lost for several years. Now I am trying to be the best Muslim I am, and I am trying to raise my children in accordance with the Qur'an and Sunnah. I have read several times, and I have also been told, that it is not right for Muslims to live in non-Muslim countries. Please note that I did not choose to be born in a kaafir country and I want to live in a Muslim country, but I do not know how I can reach any of those countries. Everyone tells me that that is impossible. My brother is keen to study Islam in Saudi, and I have two sons and I wish I could send them to Saudi to study Islam when they are old enough to do that. All of that is only a dream right now, but I ask Allah to make it come true, if He wills. Once again, I ask: is our residing in a non-Muslim country regarded as a sin, and what should do? Should I stay where I am and learn Islam as best I can, and keep away from the disbelievers around me, or must I try to move to a Muslim country? If the answer is yes, then how can I do that?

Answer

Praise be to Allah.

Firstly:

We praise Allah, may He be exalted, for having guided you to the straight path, as you say, and we ask Him, may He be glorified, to complete his blessing upon you, and to rectify your affairs and the affairs of your children and family, for He is All Hearing, Ever Responsive.

Secondly:

Undoubtedly living in a Muslim country has a good impact on a person in terms of his obedience to Allah, worship and raising his children, just as living in a non-Muslim country has a bad impact, and may even be destructive sometimes, especially for young people who grow up in that country. Overcoming this impact requires an immense effort, along with good planning, raising children properly, and cooperating with other Muslims there to create a righteous environment in which boys and girls can grow up.

It is most unfortunate that moving to Muslim countries is very difficult for many people, because of their own circumstances or because of the situation in those countries and their systems having to do with migration and settlement.

Thirdly:

Residing in a non-Muslim country may sometimes be permissible, sometimes encouraged (mustahabb) and sometimes haraam, depending on the individual's situation, the purpose of his residing there, and the extent to which he is able to practice his religion openly. We have discussed this in answers several times, but here we will quote for you a detailed discussion by Shaykh Ibn 'Uthaymeen (may Allah have mercy on him), who said:

With regard to residing in the lands of the disbelievers, it poses a great danger to the Muslim's religious commitment, morals, conduct and etiquette. We and others have seen immense deviation on the part of those who lived in those countries, then they returned different from when they went. They have come back as evildoers, and some of them have come back having apostatized from

their religion, disbelieving in it and in all religions. We seek refuge with Allah. Some of them reject religion entirely, and mock the faith and its people, both the earlier and later generations. Hence it is essential , rather it is a must, to guard against that and set out some conditions and guidelines which will protect one from ruin and destruction.

There are two essential conditions that must be met before residing in a non-Muslim country:

The first condition is that the individual should be secure in terms of his faith and religious commitment, meaning that he should have sufficient knowledge, faith and strong resolve to guarantee that he will remain steadfast in his religion and will beware of deviating and going astray. He should harbour in his heart resentment towards the disbelievers, and should keep away from taking them as close friends and allies, and loving them, because taking them as close friends and allies and loving them are things that are contrary to faith. Allah, may He be exalted, says (interpretation of the meaning):

"You will not find a people who believe in Allah and the Last Day having affection for those who oppose Allah and His Messenger, even if they were their fathers or their sons or their brothers or their kindred" [al-Mujaadilah 58:22]

"O you who have believed, do not take the Jews and the Christians as allies. They are [in fact] allies of one another. And whoever is an ally to them among you - then indeed, he is [one] of them. Indeed, Allah guides not the wrongdoing people."

"So you see those in whose hearts is disease hastening into [association with] them, saying, 'We are afraid a misfortune may strike us.' But perhaps Allah will bring conquest or a decision from Him, and they will become, over what they have been concealing within themselves, regretful" [al-Maa'idah 5:51-52].

It is proven in *as-Saheeh* that the Prophet (blessings and peace of Allah be upon him) said: "Whoever loves a people is one of them" and "A man will be with those he loves."

Loving the enemies of Allah is one of the greatest dangers to a Muslim, because loving them implies agreeing with them and following them, or at the very least

not denouncing them. Hence the Prophet (blessings and peace of Allah be upon him) said: "Whoever loves a people is one of them."

The second condition is that he should be able to practice his religion openly, meaning that he can perform the rituals of Islam without any impediment. So there should be nothing to prevent him from establishing prayer, Jumu'ah and prayers in congregation, if there are others with him who pray in congregation and establish Jumu'ah prayer; and he should not be prevented from giving zakaah, fasting, performing Hajj and other rituals and symbols of Islam. If he will not be able to do that, then it is not permissible for him to reside there, because in that case it becomes obligatory to migrate (hijrah) from that place.

It says in *al-Mughni* (vol. 8, p. 457), in a discussion listing the categories of people with regard to migration (*hijrah*): The first category is those for whom migration is obligatory. This refers to those who are able to migrate, and are not able to practice their religion openly or establish the obligatory duties of Islam whilst residing among the disbelievers. In this case, migration becomes obligatory, because Allah, may He be exalted, says (interpretation of the meaning):

"Indeed, those whom the angels take [in death] while wronging themselves - [the angels] will say, 'In what [condition] were you?' They will say, 'We were oppressed in the land.' The angels will say, 'Was not the earth of Allah spacious [enough] for you to emigrate therein?' For those, their refuge is Hell - and evil it is as a destination" [an-Nisa' 4:97].

This is a stern warning, which indicates that migrating is obligatory in that case. Moreover, establishing the obligatory duties of Islam is obligatory for the one who is able to do that, and migrating is essential to fulfilling that obligation and completing it; whatever is it essential to carrying out an obligation is also obligatory.

End quote from *Sharh al-Usool ath-Thalaathah* by Shaykh Ibn 'Uthaymeen (may Allah have mercy on him), included in *Majmoo' al-Fataawa* (6/132).

The completion of Ibn Qudaamah's discussion in *al-Mughni* is:

The second category [of people, with regard to migration] is those for whom

migration is not obligatory. This refers to those who are unable to migrate, either because of sickness, or because they are compelled to stay, or because of weakness, in the case of women, children and the like. These people are not obliged to migrate, because Allah, may He be exalted, says (interpretation of the meaning):

“Except for the oppressed among men, women and children who cannot devise a plan nor are they directed to a way

For those it is expected that Allah will pardon them, and Allah is ever Pardoning and Forgiving” [an-Nisa’ 4:98-99].

It is not regarded as being recommended (*mustahabb*) either, because they are not able to do it.

The third category is those for whom migration is recommended, but is not obligatory. This refers to those who are able to do it, but they are able to practice their religion openly whilst residing in the land of disbelief. It is recommended in their case, so that they may be able to strive in jihad, increase the numbers of Muslims (in the Muslim land) and support them, and stop the numbers of the kuffar from increasing, and (not) mix with them, and (not) see evils committed among them. Migration is not obligatory for them, because they are able to establish the obligatory duties of Islam without migrating. End quote from *al-Mughni* (9/236).

Then Shaykh Ibn ‘Uthaymeen (may Allah have mercy on him) said:

If these two conditions are met, then residing in the land of disbelief may be divided into several categories:

The first category is residing there for the purpose of calling people to Islam and promoting it. This is a type of jihad, and it is a communal obligation for those who are able to do it, on condition that da’wah is possible, and that there is nothing to prevent it or prevent people from responding to it, because calling people to Islam is one of the obligatory duties of the religion, and it is the way of the Messengers. The Prophet (blessings and peace of Allah be upon him) enjoined conveying the message from him in every time and place, as he (blessings and peace of Allah be upon him) said: “Convey from me, even if it is

one verse." End quote.

Hence it is known that there is the possibility that the Muslim's residing in that country may be permissible, or even recommended, if he can practice his religion openly and call people to it; and he has sufficient Islamic knowledge to ward off doubts and specious arguments; and he takes people as friends for the sake of Allah and as enemies for the sake of Allah. But there remains the danger posed to him by the surrounding environment and its impact on him and his children. This, as noted above, requires working with other Muslims so that they will have an [Islamic] centre to call people to Islam, that is filled with remembrance of Allah, and will attract the sons and daughters of the Muslims to learn about Islam and spread guidance.

We ask Allah to help and guide you, to make you righteous and rightly guided, and to fulfil your wishes for goodness and success for your children.

And Allah knows best.

Question 2:

As-salamu `alaykum. I am living in a non-Muslim country. My family follows Islam and they are present politicians (Governor, Congressman, Mayor, etc.) running a certain region. However, the region is mostly comprised of non-Muslims. Only about 10% of the population are Muslims, the rest are Catholics and others. No one should judge other than what Allah has revealed. I totally agree, but we cannot enforce total Islamic or Shari`ah Laws upon the land since Islam is a minority religion, and that my family was elected by mostly Catholics (since about 90% of the land are Catholics). Is it sinful in our part to rule using the secular law? What we intend is doing the better option despite the secular law. Muslims in that area are oppressed before the family stepped in. Please, decide and enlighten.

Answer: [2]

Answered By:

[**Dr. Muhammad Salama**, PhD in Islamic Studies in English and an Assistant Professor at the Faculty of Islamic Science, Al-Madinah International University, states:]

In this fatwa:

1- Muslims are ordained to rule according to the [Shari`ah laws](#).

2- Those Muslims who are living in a [non-Muslim country](#) should follow the laws of this country.

3- They should take all the legal means that enable them to gain their rights and relieve their sufferings

In principle, ruling by other than the [Shari`ah laws](#) is a grave sin, for those who do so are described in the Qur'an as "**disbelievers**", "**wrongdoers**", and "**ungodly**" (Al-Ma'idah 5:44, 45,47)

When Muslims live in a land governed by [non-Islamic laws](#), they have to go through all legitimate ways that enable them to get their rights or at least alleviate their sufferings.

Participating in elections and attempting to assume some political positions is a way to this legitimate purpose in democratic countries. The principle that governs such situations is to strike a balance between the benefits achieved and the harms to be suffered from such participation.

Accordingly, those members of your family who have assumed such political positions must have the good intention of helping their Muslim community and do their best to enjoin what is right and forbid what is wrong as far as they can.

If they can do so, they would certainly be rewarded by Allah Almighty, even if they sometimes rule by secular laws based on the principle mentioned above, for the benefits that Muslims gain in this case outweigh such wrong practice.

Allah Almighty knows best.

Question 3: [3]

As-salamu `alaykum. To resolve their family disputes or community problems, many Muslims living in the States are seeking the help of non-Muslim courts. Is this permissible in Islam? What other alternative do we have when we are living in a non-Muslim society?

Answer:

Answered By:

[Dr. Muzammil Siddiqi, Former President of the Islamic Society of North America, states]:

- 1- Muslims in non-Muslim countries should organize themselves in a way that enables them to have their arbitration councils and committees.
- 2- The decisions of those arbitration councils and committees should be binding upon Muslims.
- 3- With this, they will be in no need to resort to non-Muslim courts to dissolve their disputes unless there is a dispute with a non-Muslim individual or corporation

Muslims must try their utmost to solve all their problems and disputes among themselves and according to the laws of Allah Almighty.

The rules of Allah are sufficient to solve not only the problems of Muslims but also the problems of all people in the world.

We should be in a position to solve others' problems rather than taking our problems to others.

In the [Quran](#), Allah Almighty has commanded us saying: **{O you who believe, obey Allah and obey the Messenger and those charged with authority from amongst you. If you differ in anything among yourselves, refer it to Allah and His Messenger, if you do believe in Allah and the Last Day. This is best and most suitable for final determination.}** ([An-Nisaa' 4:59](#))

Even in a [non-Islamic society](#), Muslims can organize themselves in such a way that they have their arbitration councils and committees and they can make it binding upon them to take all their disputes to the Islamic arbitration.

The arbitration in civil cases is permissible in all states, as far as I know. There are, of course, rules and regulations for arbitration, and they must be followed, but most of our family and community disputes can be resolved according to the Shari`ah through our arbitration councils or committees.

It is very much needed that we [Muslims in America](#) establish our Islamic arbitration councils. Recently some Muslims in Canada established such a council and they find it very useful. We should try to establish such programs in our own areas.

Going to the [non-Muslim courts](#) may be permissible if you have a dispute with

a non-Muslim individual or corporation. You have every right to demand what is your due without making any false or exaggerated claims.

A Muslim must never file a false lawsuit against any person whether a Muslim or non-Muslim.

Also, if you have a dispute with another Muslim and he/she is not willing to accept Islamic arbitration, and you have no choice except to seek the help of non-Muslim courts then you are allowed to seek that help.

The burden of the refusal of Islamic judgment will be upon him or her who refused that judgment.

Another situation will be if a Muslim files a false lawsuit against you and you are a defendant.

In this case, you are allowed to defend yourself, but if there is any possibility to make a reasonable and just settlement out of the court then one should not hesitate to accept that. Resolution of disputes is much better than prolonging the disputes.

Muslims should be serious with the law of Allah. They should not play games with the [Shari`ah](#). Some people compare their advantages according to the Shari`ah or non-Islamic laws.

If they find that the Shari`ah can give them more, they seek Islamic judgment; otherwise they go to the non-Islamic rules. This behavior is nothing but sheer hypocrisy.

It is also important to keep in mind that it is *haram*, according to the Shari`ah, to take a penny from another person with false or exaggerated charges and accusations.

Whatever is not yours by the law of Allah can never become yours, regardless of the judgment of any court.

The Islamic rule states that 'the judgment of the judge cannot make the forbidden permissible nor the permissible forbidden.'

The Prophet (peace and blessings be upon him) is reported to have said, "**I am a human being. You bring your disputes to me for judgment. Perhaps one**

of you present his case better than the other and I make a judgment in his favor according to what I hear. So to whomsoever I give that which was (actually) the right of his brother, I have given him a piece of hell." ([Al-Bukhari](#) and [Muslim](#))

Allah Almighty knows best.

Question: [5]

Assalaamu alaykum. My husband and I live in a non-Muslim country. I feel that my faith and level of worship have deteriorated, and I feel threatened by Islam-haters. A radical right-wing party rules here now. I am depressed. I miss Islam. I want to move to my husband's homeland, because I feel safe there. However, my husband does not see any problems, downplays my fears, and says that we should stay to do da'wah (proselytization). I feel neglected, and I feel that he does not protect my faith from threats and temptations yet cares to do da'wah to others. Do I have the right to demand from him to move? Otherwise, he is a wonderful man, but I think that he is making a big mistake by not moving. I must admit that before we got married, he did say that we would stay in the country in which we are residing, but I am on the verge of committing suicide if I stay here. Is it possible that you do not publish this question? **(Wife wants to leave non-Muslim country but husband refuses)**

Answer: [5]

All perfect praise be to Allah, The Lord of the worlds. I testify that there is none worthy of worship except Allah and that Muhammad, sallallaahu 'alayhi wa sallam, is His slave and Messenger.

First of all, we would like to thank you for your keenness on preserving your religiosity and your caution of falling into temptation and whatever leads to it. We implore Allah to reward you generously and increase you in righteousness. We ask you to take it easy upon yourself and repel such extreme anxiety that would drive you to consider suicide! Indeed, suicide is a grave evil and hideous sin that entails losing one's worldly life and his afterlife. Abu Hurayrah رضي الله عنه narrated that the Prophet, sallallaahu 'alayhi wa sallam, said, *"Whoever purposely throws himself from a mountain and kills himself will be in the Hellfire falling down into it eternally; whoever drinks poison and kills himself with it will be carrying that poison in his hand and drinking it in Hellfire eternally; and whoever stabs himself with an iron rod will be carrying his iron rod in his*

hand and stabbing his abdomen with it in Hellfire eternally." [Al-Bukhaari and Muslim]

If you have reached the state of fearing temptation, then you are entitled to ask your husband to make *hijrah* (migration) from this country. Rather, it is permissible for you to migrate even if he does not approve it. Muslim scholars stated that whoever fears falling into *fitnah* (temptation, tribulation) is obliged to make hijrah, as we have previously underlined in fatwa [86405](#).

Obedience to the husband should only be in what pleases Allah. 'Ali عليه السلام reported that the Prophet, sallallaahu 'alayhi wa sallam, said, "*There should be no obedience to people in what constitutes disobedience to their Creator.*" The fact that your husband had informed you before marriage that you would be staying in this country does not mean that you are obliged to stay there.

However, we advise you to discuss the matter with your husband first in light of what we mentioned. It is commendable of your husband to be keen on making da'wah; however, he should also strive in guarding you from whatever leads to fitnah. Neither duty should make him neglect the other. In fact, his family is worthier of his good efforts and attention. Allah, The Exalted, says (what means): {*And warn (O Muhammad) your closest kindred.*} [Quran 26:214]

Allah knows best.

16:Conclusion:[4]

Living under unislamic conditions

They argue that living in a non-Muslim country is wrong because Muslims will have to live under unislamic conditions. They also claim that Muslims who willingly accept the rule of non-Muslims, and live under any rule other than the *Shariah* (Islamic law), in all circumstances, are committing acts that will nullify their faith. For the extremists loyalty and sovereignty can only be given to and by God and Islam is the only way of life for Muslims.

They base their argument, among others, on the following verses:

"When angels take the souls of those who die in sin against their souls, they say: "In what (plight) were ye?" They reply: "Weak and oppressed were we in the earth." They say: "Was not the earth of Allah spacious enough for you to move yourselves away (from evil)?" Such men will find their abode in Hell, What an evil refuge! Except those who are (really) weak and oppressed – men, women, and children – who have no means in their power, nor (a guide- post) to their way." (The Quran, 4:97-8)

The consequence of this thinking is the idea that one cannot be a proper Muslim unless one lives among Muslims only. Such thinking encourages ghettoism and an exclusivist attitude in social life.

Theological Response

It is argued that the verses (4, 97-9) cannot be used as absolute proof that Muslims cannot live in a non-Muslim country. On the contrary, it could also be interpreted otherwise, that is to allow a Muslim to do so. The verse, *"Except the weak ones among men, women and children who can not devise (a) plan, nor are they able to direct their way." (4:98)*, has been interpreted by Muslim scholars to mean a Muslim is only required to migrate from a non- Muslim country if he is unable to practise his religion freely and is being oppressed.

Consequently, it also means that Muslims are allowed to live in a non-Muslim country or under a non-Muslim government, as long as they have the freedom to worship their religion and can experience basic human rights. There is no reason or compulsion for Muslims who live in such situation to migrate.

This interpretation is supported by the fact that the Prophet himself permitted his uncle, Abbas to remain in Mecca, which at that time was not under Muslim rule. That proved that the injunction to migrate was not binding over everybody.

Secondly, the migration of the Prophet's companions to Abyssinia (Ethiopia) and their return six years after the Prophet's migration to Medina, also suggests that migration is only necessary for those who are weak and fear religious persecution. Therefore, living in a non- Muslim country is allowed if a Muslim's right of worship is protected.

Thirdly, not all Muslims during the time of the Prophet migrated to Medina. One such case was Abu Nu'aim. He became a Muslim and wanted to migrate to Medina. As he was the financial provider for a group of orphans and widows for his tribe, his people asked him to stay with the promise to protect him from any abuse. He postponed his migration plan and when he eventually migrated to Medina, the Prophet said to him: *"My people have ousted me and wanted to kill me. Whilst your people protected you."*

Fourthly, the Prophet said (in one narration by Imam Muslim), that those living in a non- Muslim country who later became Muslims could still remain living there and did not need to migrate.

From the evidences, it can be concluded that there cannot be a general ruling for or against Muslims living in a non-Muslim countries. The ruling depends on the status of the individual and the context. Clearly then, any position prohibiting Muslims from living and settling in non-Muslim countries is not the consensus of Muslim scholars. The scholars are of the opinion that a ruling on migration depends on the situation and can be summarised as such: a) it is obligatory for a Muslim to migrate if he or she cannot practise his religion and fears that he cannot maintain his faith (4:97-9); b) Muslims who can practise Islam and can afford to migrate are only encouraged to do so. This is based on the actions of the Prophet's uncle, Abbas and his companion, Abu Nu'aim; c) Muslims who cannot afford to or face difficulty in migrating are not required to do so and can remain living in that country (4:97); and d) it is obligatory for a Muslim to remain in a non-Muslim country if his presence and expertise is required by the Muslims

there.

Rational Response

In today's context, migration to a Muslim country in a classical sense is no longer relevant or practical as no particular country today can be truly classified as a *Dar Al-Islam* (land of Islam) in the classical sense.

Furthermore, the world has been globalised. Any attempt to isolate Muslims from other communities order to preserve their faith and commitment to the religion is a futile effort.

Also, there is no one country, be it a non-Muslim or Muslim country, that is perfectly suitable to meet the original objective of migration, which is to allow a Muslim to practise Islam as a religion comprehensively. Practically anywhere a Muslim chooses to live, he still has to make the appropriate adjustments and accommodations to his society.

The early Muslims travelled and settled widely, from their origins in the Arab world to continents such as China and the Malay Archipelago. In each case they settled and lived with the non-Muslims, which eventually caused the spread of Islam.

Muslim minorities living in non-Muslim democratic countries must realize that whatever the imperfections, remaining in these countries is critical. By doing so, they provide abundant opportunities to share their Muslim way of life and dispelling any misconceptions about Islam.

In that respect, instead of isolating themselves, Muslims must strive to actively engage with their host society by being a constructive member of the country. An active participation in the nation's progress and development is the strongest argument against the negative image of Islam. This can be achieved in part by living in accordance with the principles of democracy and the law of the state. This will assist Muslims in building a foundation for peaceful coexistence with others.

Finally, I ask that Allah subhaana wa ta'aala, in sha' Allah, gives me *taufiq* in what I have said and that I have not said anything inappropriate and forgive me if I said in anything wrong.

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